

INTRODUCED: 12/3/2018

REFERRED TO: Public Works Committee

SPONSOR: Councillor McQuillen

DIGEST: establishes interest in the purchase of specified land owned by Eric and Marti Olson for certain public works projects

SOURCE:

Initiated by: Department of Public Works

Drafted by: Department of Public Works

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: _____ Date: November 29, 2018

CITY-COUNTY GENERAL RESOLUTION NO. , 2018

PROPOSAL FOR A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-2-6; and

WHEREAS, pursuant to IC 36-1-10.5-1, et seq., the City of Indianapolis may purchase land for a total price exceeding twenty-five thousand dollars (\$25,000) only after the City-County Council, as the fiscal body, passes a resolution to the effect that it is interested in making a purchase of specified land; and

WHEREAS, the City of Indianapolis wishes to purchase a fee simple interest of the real estate described in Exhibit "A" and depicted in Exhibit "B", each of which are attached hereto and incorporated herein (the "Real Estate"); and

WHEREAS, acquisition of the Real Estate is needed for the construction of 9540 Fall Creek Road Culvert Replacement, Department of Public Works Project Number CL-07-003; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby establishes that it has an interest in acquiring the Real Estate described in Exhibit "A" and depicted in Exhibit "B", copies of which are attached to this Resolution.

SECTION 2. For purposes of Revised Code Sec. 151-66, the Real Estate is owned by Eric Olson and Marti Olson, husband and wife, through deeds which were recorded in the office of the Marion County Recorder as Instrument Number 930010590.

SECTION 3. The Department of Public Works is directed to appoint two (2) appraisers to appraise the fair market value of the Real Estate and to provide a copy of both appraisals to the Chair of the Public Works Committee of the City-County-Council.

SECTION 4. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2018, at _____ p.m.

ATTEST:

Vop Osili
President, City-County Council

SaRita Hughes
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2018, at 10:00 a.m.

SaRita Hughes
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2018.

Joseph H. Hogsett, Mayor

EXHIBIT "A"
REAL ESTATE DESCRIPTION

A part of the Northeast Quarter of Section 30, Township 17 North, Range 5 East, Marion County, Indiana, being a portion of the grantors' land described in Instrument Number 930010590 (all referenced Instruments are recorded in the Office of the Recorder of Marion County, Indiana), and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-Of-Way Parcel Plat marked Exhibit "B", more particularly described as follows: Commencing at the Southwest corner of said Quarter, designated as point "1003" on said Parcel Plat; thence North 0 degrees 15 minutes 45 seconds West (bearings based on the Location Control Route Survey Plat for this project, recorded as Instrument A201800078643) 454.27 feet along the west line of said Quarter to the centerline of Fall Creek Road; thence North 36 degrees 47 minutes 11 seconds East 44.42 feet along said centerline; thence North 31 degrees 31 minutes 14 seconds East 100.04 feet along said centerline; thence North 28 degrees 23 minutes 10 seconds East 100.03 feet along said centerline; thence North 27 degrees 26 minutes 16 seconds East 314.76 feet along said centerline; thence North 28 degrees 32 minutes 27 seconds East 379.02 feet along said centerline; thence North 28 degrees 17 minutes 23 seconds East 101.99 feet along said centerline; thence North 29 degrees 36 minutes 53 seconds East 260.81 feet along said centerline; thence North 32 degrees 24 minutes 24 seconds East 258.54 feet along said centerline; thence North 31 degrees 20 minutes 10 seconds East 122.30 feet along said centerline to the southeast corner of the grantors' land, being an eastern corner of The Sanctuary subdivision plat, recorded as Instrument 200100042337, and being the point of beginning; thence North 63 degrees 25 minutes 21 seconds West 70.24 feet along an interior line of said The Sanctuary to the northeast corner of Lot 4 of said The Sanctuary, designated as point "201" on said Parcel Plat; thence North 31 degrees 20 minutes 10 seconds East 4.93 feet to the point designated as "202" on said Parcel Plat; thence North 29 degrees 51 minutes 42 seconds East 88.45 feet to the point designated as "203" on said Parcel Plat; thence Northeasterly 182.54 feet along an arc to the left and having a radius of 1,530.00 feet and subtended by a long chord having a bearing of North 26 degrees 26 minutes 37 seconds East and a length of 182.43 feet to the point designated as "204" on said Parcel Plat; thence North 23 degrees 01 minute 33 seconds East 53.99 feet to the southeast corner of Lot 10 of said The Sanctuary, designated as point "205" on said Parcel Plat; thence South 49 degrees 27 minutes 24 seconds East 73.40 feet along an interior line of said The Sanctuary to the grantors' northeast corner; thence South 23 degrees 01 minute 33 seconds West 31.90 feet along the grantors' east line; thence along the grantors' east line Southwesterly 190.89 feet along an arc to the right and having a radius of 1,600.00 feet and subtended by a long chord having a bearing of South 26 degrees 26 minutes 37 seconds West and a length of 190.78 feet; thence South 29 degrees 51 minutes 42 seconds West 89.35 feet along the grantors' east line to the point of beginning and containing 0.516 acres, more or less, inclusive of the presently existing right-of-way, which contains 0.094 acres, more or less.

EXHIBIT "B"
REAL ESTATE DEPICTION

PARCEL NO. : 01
PROJECT NO. : 6114-0701
ROAD NAME : FALL CREEK ROAD
COUNTY : MARION
SECTION : 30
TOWNSHIP : 17 N.
RANGE : 5 E.

OWNER : ERIC OLSON AND MARTI OLSON

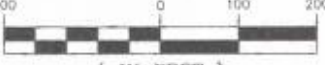
INSTRUMENT : 1992
INSTRUMENT : 10/2001

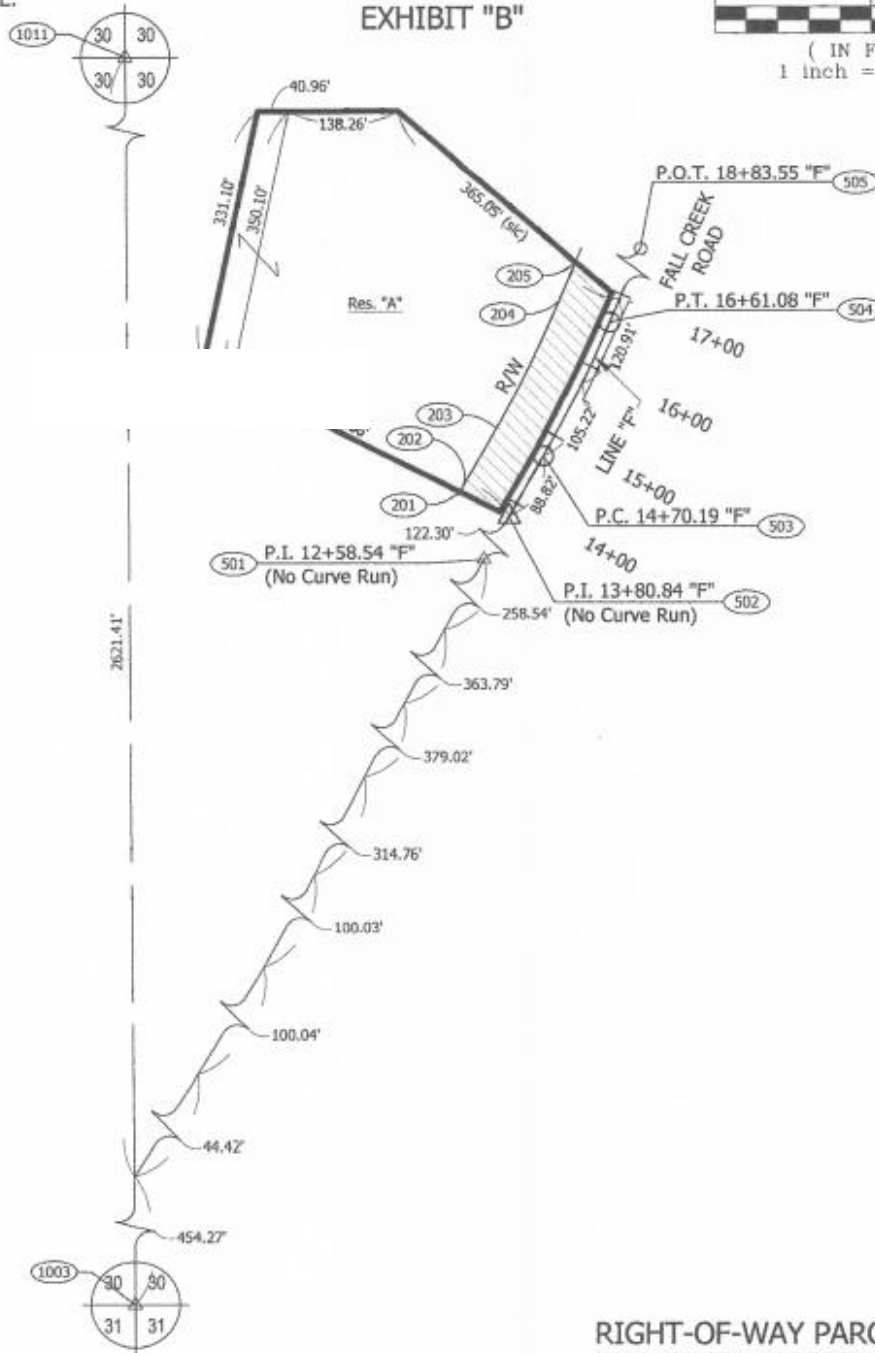
DRAWN BY: DRM 08/21/2018
CHECKED BY: RAN 08/24/2018
SCALE: 1"= 200'
SHEET 1 OF 2

 HATCHED AREA IS THE
APPROXIMATE TAKING

THIS PLAT WAS PREPARED FROM INFORMATION OBTAINED FROM THE RECORDER'S OFFICE
AND OTHER SOURCES WHICH WERE NOT NECESSARILY CHECKED BY A FIELD SURVEY.

EXHIBIT "B"

GRAPHIC SCALE

(IN FEET)
1 inch = 200 ft.



RIGHT-OF-WAY PARCEL PLAT
Prepared for - INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS
by Butler, Fairman and Seufert, Inc. (Job #6114.0701)

**A part of the Northeast Quarter of Section 30, Township 17 North, Range 5 East as described in
Instrument Number 930010590 in the office of the recorder of Marion County, Indiana**